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7 Attorneys for Petitioning Creditors

8 UNITED STATES BANKRUPTCY COURT  
9 EASTERN DISTRICT COURT OF CALIFORNIA  
10

11 In Re:

12 DAVID R. MICHAL,

13 Alleged Debtor.  
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16  
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19  
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Case No.: 2022-22056  
CHAPTER 7

**PARTIES' JOINT STIPULATED FACTS**

Date: June 1, 2023  
Time: 9:00 A.M.  
Dept.: A  
Judge: Hon. Frederick E. Clement

21 The Parties hereby stipulate to the following facts:

- 22 1. Petitioning Creditors collectively hold a judgment entered in North Carolina General  
23 Court of Justice, case number 16 CVS 7519, against the alleged debtor in the face amount of  
24 \$3,400,000. That judgment remains unsatisfied at this time.
- 25 2. There are credits against that judgment in the aggregate amount of \$155,981.11, which  
26 were applied prior to an assignment to the Petitioning Creditors on April 26, 2021.
- 27 3. Petitioning Creditors collectively hold a judgment entered in California Superior Court of  
28 Shasta County, case number 188809, entered on December 6, 2017, against the alleged debtor in

1 the face amount of \$3,400,435. This California judgment is based on the North Carolina  
2 judgment, and not in addition to the North Carolina judgment.

3 4. Eldena Cross holds a separate judgment entered in California Superior Court of Nevada  
4 County, case number CU17-082183 against the alleged debtor in the amount of \$ 1,078,778.70,  
5 entered on July 13, 2018. There have been no payments or credits against that judgment since it  
6 was entered. Ms. Cross recorded an Abstract of that Judgment on August 11, 2022, in the Shasta  
7 County Recorder's Office.

8 5. The **alleged** debtor has identified the following creditors pursuant to FRBP 1003(b) as  
9 the creditors he owed the following amounts on the date of the petition herein (August 18, 2022):

- |    |                                |                               |
|----|--------------------------------|-------------------------------|
| 10 | a. Capital One N.A.            | \$16,207.00                   |
| 11 | b. Citibank Credit Card        | \$3,662.00                    |
| 12 | c. Sierra Central Credit Union | \$47,917.00 and \$53,385.00   |
| 13 | d. U.S. Bank                   | \$35,239.00                   |
| 14 | e. The Lewallen 2000 Trust     | \$410,000.00 and \$200,000.00 |
| 15 | f. Shasta County Tax Collector | \$4,345.96                    |
| 16 | g. State Farm Insurance        | \$737.34 per month            |
| 17 | h. City of Redding             | No Amount Specified           |
| 18 | i. Pacific Gas & Electric      | No Amount Specified           |
| 19 | j. Spectrum                    | \$94.98 per month             |
| 20 | k. Direct TV                   | \$72.12 per month             |
| 21 | l. Verizon                     | \$47.01                       |

22 6. Prior to August 18, 2022, the following payments were made from the community  
23 property of the alleged debtor and his wife, Christine Michal, to the following creditors:

- |    |              |                 |            |
|----|--------------|-----------------|------------|
| 24 | a. Citi Card | May 26, 2022    | \$1,489.81 |
| 25 | b. Citi Card | June 22, 2022   | \$2,743.93 |
| 26 | c. Citi Card | July 21, 2022   | \$970.33   |
| 27 | d. Citi Card | July 21, 2022   | \$1,505.07 |
| 28 | e. Citi Card | August 11, 2022 | \$1,968.80 |

1	f. U.S. Bank	June 2, 2022	\$2,000.00
2	g. U.S. Bank	July 30, 2022	\$2,000.00
3	h. U.S. Bank	August 3, 2022	\$2,000.00
4	i. State Farm	May 24, 2022	\$736.58
5	j. State Farm	June 21, 2022	\$692.18
6	k. State Farm	July 21, 2022	\$737.34

7        7. Following the date of the petition, the following payments were made from the  
8 community property of the alleged debtor and his wife, Christine Michal, to the following  
9 creditors:

10	a. Citi Card	Aug 25, 2022	\$ 224.44
11	b. Citi Card	Aug 25, 2022	\$5,729.16
12	c. Citi Card	Aug 25, 2022	\$4,905.20
13	d. Citi Card	Aug 25, 2022	\$9,075.34
14	e. Citi Card	Sept 14, 2022	\$4,997.23
15	f. Citi Card	Sept 14, 2022	\$5,146.64
16	g. Citi Card	Oct 6, 2022	\$1,742.33
17	h. Citi Card	Oct 6, 2022	\$1,948.34
18	i. Citi Card	Oct 14, 2022	\$352.34
19	j. Citi Card	Oct 14, 2022	\$3,478.34
20	k. Citi Card	Oct 26, 2022	\$10,103.10
21	l. Sierra Central CU	Aug 25, 2022	\$1,700.00
22	m. U.S. Bank	Sept 2, 2022	\$2,000.00
23	n. U.S. Bank	Oct 4, 2022	\$2,000.00
24	o. U.S. Bank	Nov 2, 2022	\$2,000.00
25	p. Shasta County	Dec 8-10, 2022	\$2,297.28
26	q. State Farm Insurance	Aug 22, 2022	\$737.34
27	r. State Farm Insurance	Sept 22, 2022	\$737.34
28	s. City of Redding	Sept 1, 2022	\$568.36

t.	Pacific Gas & Electric Aug 23, 2022	\$36.98
u.	Pacific Gas & Electric Sept 23, 2022	\$35.94
v.	Spectrum Aug 30, 2022	\$94.98
w.	Direct TV Aug 26, 2022	\$72.13
x.	Verizon Aug 28, 2022	\$201.10

8. Either the alleged debtor, his wife, or an entity they control, has continued to pay the creditors listed in paragraph six (6) above, on a monthly basis subsequent to the date of the involuntary petition.

9. The alleged debtor did not make any regular payments to Capital One after the Involuntary Petition was filed because Capital One closed the account when the Involuntary Petition was filed.

10. The alleged debtor did not make any payments to Petitioning Creditors before or after the Involuntary Petition was filed.

11. The alleged debtor does not receive income.

12. The alleged debtor's wife receives income from Stewardship Partners Group, LLC in which the alleged debtor and his wife own a 50% interest. There are two other members in that LLC. The alleged debtor has declined at this time to identify those members or to provide their relationship to the alleged debtor.

13. Reaven, Inc., an entity owned by the alleged debtor and his wife, indirectly received more than \$200,000 from the sale of a commercial building in North Carolina after July 15, 2022. None of that money was used to pay the Petitioning Creditors' judgment, or Ms. Cross's judgment, based on decisions of alleged debtor and his wife.

Dated: May 10, 2023

LAW OFFICE OF  
HASTINGS & RON

BY: 


CHARLES L. HASTINGS  
Attorney for Petitioning Creditors

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Dated: May 10, 2023.

Dwiggins & Wilson Bankruptcy Law

BY:



PATRICIA WILSON  
Attorney for Involuntary Debtor  
David R. Michal